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By: **Delegates Cane, Bohanan, Bozman, Conway, C. Davis, Franchot, Harrison, Heller, Krysiak, Malone, McConkey, Owings, Proctor, Rudolph, Sophocleus, Sossi, and F. Turner F. Turner, Hurson, Hammen, Benson, Boteler, Boutin, Bromwell, Costa, Donoghue, Elliott, Goldwater, Kach, Mandel, McDonough, Morhaim, Murray, Nathan-Pulliam, Oaks, Pendergrass, Rosenberg, Smigiel, V. Turner, and Weldon**

Introduced and read first time: January 22, 2004  
Assigned to: Health and Government Operations

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: February 17, 2004

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Family Law - Adoption - Certificates of Birth**

3 FOR the purpose of repealing the provision of law making the entry of an adoption  
4 order by a court as grounds for the Secretary of Health and Mental Hygiene to  
5 make a new certificate of birth for an individual who was born outside the  
6 United States; repealing a certain qualification that a foreign-born adopted  
7 person must meet before the Secretary may prepare and register a certificate of  
8 foreign birth; and generally relating to certificates of birth.

9 BY repealing and reenacting, with amendments,  
10 Article - Health - General  
11 Section 4-211(b) and (i)(1)  
12 Annotated Code of Maryland  
13 (2000 Replacement Volume and 2003 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That the Laws of Maryland read as follows:

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**Article - Health - General**

2 4-211.

3 (b) Except as provided in subsection (c) of this section, the Secretary may  
4 make a new certificate of birth for an individual who was born outside the United  
5 States if one of the following occurred in this State:

6 (1) The previously unwed parents of the individual have married each  
7 other after the birth of the individual;

8 (2) A court of competent jurisdiction in this State has entered an order as  
9 to parentage[,] OR legitimation[, or adoption]; or

10 (3) The father of the individual acknowledged himself by affidavit to be  
11 the father and the mother of the individual has consented by affidavit to the  
12 acknowledgment.

13 (i) (1) The Secretary shall, upon request, prepare and register a certificate  
14 in this State for a person born in a foreign country [who is not a citizen of the United  
15 States] and who was adopted:

16 (i) (1) Through a court of competent jurisdiction in this State; or

17 (ii) 1. Under the laws of a jurisdiction or country other than the  
18 United States and has been granted an IR-3 visa by the United States Immigration  
19 and Naturalization Service under the Immigration and Nationality Act; and

20 2. By an adopting parent who is a resident of this State.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 2004.